

STEVENSON MARINOLLP

Jeffrey R. Maguire, Esq., Partner o: (212) 939-7229 f: (212) 531-6129
 a: 75 Maiden Lane, Suite 402, New York, NY 10038 e: jmaguire@stevensonmarino.com

December 29, 2021

Via ECF

The Honorable Katharine H. Parker
 United States Magistrate Judge for the
 Southern District of New York
 500 Pearl Street
 New York, New York 10007

Re: *Hurtado v. 183 Food Market Corp., et al.*
Docket No: 20-cv-7988 (KPF)(KHP)

Dear Judge Parker:

We serve as Class Counsel for Named Plaintiff Felipe Hurtado, the Opt-in Plaintiff Leonardo Pena, and the recently certified class (collectively as “Plaintiffs”) in the above-referenced action alleging wage and hour claims against 183 Food Market Corp., 2358 Food Corp., Roberto Espinal (the “Espinal Defendants”), 183 Meat Corp., 2358 Meat Corp., and Sergio Fernandez (the “Fernandez Defendants” and collectively as the “Defendants”) under the Fair Labor Standards Act (“FLSA”) and the New York Labor Law (“NYLL”). We write now to apprise the Court that the parties have again reached a class settlement in principle and therefore respectfully request that the Court cancel the settlement conference scheduled for January 7, 2022.

Following the District Court’s preliminary approval of a Rule 23 class action settlement on October 26, 2021, an issue arose with respect to the class information produced by the Espinal Defendants that resulted in a motion to compel filed by Plaintiffs. On December 10, 2021, Judge Failla held a conference on Plaintiff’s motion to compel and based on the parties’ representations, referred the case to this Court for a settlement conference to assist the parties in resolving the matter based on the discovery of new information. *See* Dkt. No. 81. On December 13, 2021, this Court scheduled a settlement conference for January 7, 2022. Subsequently, as encouraged by Judge Failla, the parties made attempts to resolve the matter and eventually reached a settlement in principle. As a result of the foregoing, the parties respectfully request that the Court cancel the settlement conference as the parties have reached settlement and will accordingly submit the revised class agreement a to the District Court for preliminary approval of the new terms.

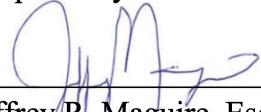
APPLICATION GRANTED

Katharine H. Parker
Hon. Katharine H. Parker, U.S.M.J.

12/30/2021

We thank the Court for its time and attention to this matter.

Respectfully submitted,



Jeffrey R. Maguire, Esq.
Stevenson Marino LLP

To: Counsel for Defendants (via ECF)